

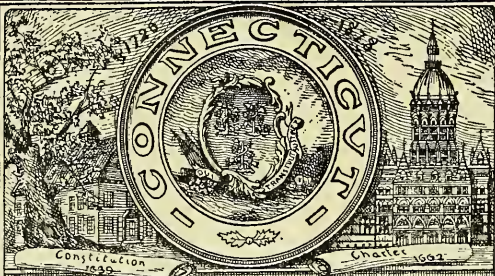
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FINAL REPORT
Survey Unit #11b.

THE MILITARY DEPARTMENT
OF
THE
STATE OF CONNECTICUT

AUG 30 1951

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FINAL REPORT
Survey Unit #11b.
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THE STATE MILITARY ESTABLISHMENT

PART I - REPORT SUMMARY: CONCLUSIONS AND SUGGESTIONS

A: SUMMARY OF BASIC DATA

1. Federal Military Responsibility to the State: The Federal Government is responsible for guaranteeing a republican form of government and for protecting each state against invasion or domestic violence.
2. The Military Powers of the Governor: The Governor of the State is responsible for the faithful execution of the laws of the State. To insure such execution he is, under the Constitution of the state, Commander-in-Chief of all State militia not in the service of the United States.
3. The Status of Federally Recognized Militia:
 - a. The National Guard: The National Guard is a force organized to implement the above responsibilities. As such it has dual status: in time of peace it is under State control and is a State force; in time of war or national emergency it may be called or ordered into Federal service as a Federal force for purposes of national defense. Its organization, composition, training, and equipment are at all times a Federal responsibility and reflect the overriding requirements of national defense. The state is responsible for providing adequate facilities for personnel and the protection of equipment.
 - b. The Air National Guard: The Air National Guard has a status precisely similar to that of the National Guard.
 - c. The Naval Militia: The Naval Militia, though of far smaller size, has a status generally similar to that of the National Guard. The State, however, has no responsibility with respect to facilities for personnel and the protection and custody of equipment
4. The State Military Department:
 - a. State Function and Organization: The Military Department of the State is the agency through which the Governor as Commander-in-Chief of all State militia not in the service of the United States administers that command responsibility. The Military Department is under the Adjutant General who is the Governor's chief military adviser and who acts for the Governor in military affairs.
 - b. Jurisdiction: In addition to the federally recognized militia the Military Department has under its jurisdiction the Governor's staff and the so-called organized militia consisting of a State Guard and the Governor's Guards units.
 - c. Federal Function: The Military Department, as the office of the State Adjutant General, is additionally the normal agency through which instructions are issued to the National Guard and to the Naval Militia by Federal military authorities.

5. The Postwar Problem of State Military Responsibility:

a. The Postwar Federally Recognized Militia: The character of the postwar federally recognized militia has altered substantially in that it reflects in strength the continuing unsettlement of foreign relations and in composition, training, and equipment the revolutionized technical basis of modern warfare. This change has placed under State control a force in excess of State needs.

b. Postwar State Responsibility: Consequently this change has created a continuing policy problem; namely, the extent to which it is proper or possible for the State to accept military obligations in terms of providing facilities to men and equipment in excess of State needs in the interest of national defense. This is the central problem with respect to State and Federal postwar military relationships.

6. Other State Safety Agencies: This increase in the strength and weight of the peacetime military establishment under the command of the Governor has occurred over a period when the necessity for it in terms of State security requirements has actually lessened by reason of the better organization and training of local and municipal police and above all of State police forces.

B: SUMMARY OF CONCLUSIONS AND SUGGESTIONS

1. Federal Military Responsibility to the State: All conclusions with respect to State military authority and agencies are made in the light of the basic Federal military responsibility for the guaranteeing of a republican form of government and for protecting each state against invasion or domestic violence

2. The Military Powers of the Governor: There should be no limitation in the statutes upon the power of the Governor as Commander-in-Chief of all state militia not in the service of the United States provided his power is exercised in conformance with Federal law.

a. Present Statutes Generally Satisfactory: The present statutes defining the military power of the Governor have been reviewed and with one exception (noted in c below) have been found satisfactory with respect to content.

b. Statutes Require Editorial Revision: Editorial suggestions have been made to combine in one Section of the Statutes definitions of the Governor's authority as Commander-in-Chief, and a rearrangement of Statutes has been suggested to bring into appropriate sequence those dealing with the exercise of such authority by delegation. (For all statutory proposals, editorial and otherwise, see Part I. c.)

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c. Delegated Authority to Call Out Militia: Under Section 1261 (Chap. 63, 1949 Rev.) the authority given to a military officer to call out any part of the organized militia should be limited to emergencies occasioned by disaster and should not include those occasioned by civil disorder.

d. The Governor's Staff: The Governor's Staff should be abolished as a misnomer in that it does not act in an advisory or staff capacity to the Governor on military matters and deprives the Military Department of funds allocated for military purposes.

3. The Status of Federally Recognized Militia:

a. The National Guard: The State Statutes defining State obligations and responsibilities with respect to the National Guard have been reviewed and found satisfactory. To be commended are the provisions of Section 1254 on the appointment of commissioned officers which place the appointive powers of the Governor in accordance with federally prescribed regulations.

b. The Air National Guard: The above conclusions with respect to the National Guard apply fully to the Air National Guard.

c. The Naval Militia: The above conclusions apply equally to the Naval Militia with the exception of the statute providing for the staff of the Commander of the Naval Militia which conflicts with the Navy Department provisions for such a staff. It is suggested that the statutory provision (sec. 1249, 1949 rev.) treating the staff of the Commander of the Naval Militia should, therefore, be repealed.

4. The State Military Department:

a. State Function and Organization:

(1) General:

(a) Definition of Department Required: It is suggested that the Commission on State Government Organization define state administrative departments for purposes of clarifying their place within the total administrative structure and their relationships with one another.

(b) Statutory Provision: Provision in the Statutes should be made for the establishment of the Military Department to perform the military functions of the State and to be the designated state agency for relations with the Federal military authorities.

(c) Adjutant General to Chief of Staff: The title of the Adjutant General is an anachronism. Today the title adjutant general implies a special staff officer charges with keeping personnel records, correspondence, and the publication of orders and directives. Therefore we suggest that the head of the Military department be designated as Chief of Staff and the Assistant Adjutant General as Deputy Chief of Staff.

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(d) No Military Council Required: It is suggested that statutory provision for a Military Council be done away with because it limits the discretionary authority of the Adjutant General (Chief of Staff) who already administers his duties through a staff established on accepted military lines.

(2) Organization and Administration:

(a) Functional Staff Organization: The organization of the Military Department is now fundamentally sound. Staff officers have been assigned duties corresponding to the major operational functions of the Department along accepted military organization lines. It is suggested that a settled nomenclature and definition be determined for so-called Staff Sections and their sub-divisions within the Department.

(b) Policy Procedures: Through the media of General Orders, Circulars, and weekly staff meetings basic and pertinent information as respecting policy and duties is given effective distribution.

(c) Personnel Administration: The Department has shown an efficient disposition and use of its allotted personnel and has maintained its administrative personnel strength at approximately prewar levels despite a sharp increase in the work load.

(3) Fiscal Matters:

(a) Funds: Funds appropriated for the assigned military functions of the Department are not excessive. These can be reduced by divorcing from the Department certain non-military groups presently assigned to the Department by law. (See paragraph 4 b (1) and (2) below.)

(b) Budgets: State military budgets are based on federally authorized National Guard strength levels and federally determined shortages in State facilities relative to the demand placed upon them by Federal equipment issues. No counterbalancing state criteria of military needs relative to the state mission of the National Guard exist.

(c) Records: The keeping of fiscal records and financial procedures are in conformity with rules laid down by the Budget Bureau and Comptroller. The only departure from proper procedure is that in the past lump sum appropriations have been made to the Governor's Guard units.

(d) Private Car Travel Allowance: It is felt that the Comptroller should take into consideration that officers must frequently travel on official duty in private cars for which they receive no allowance. If relief cannot be granted statutory provision should be made to remedy matters.

(e) Personnel Records: The efficiency of the Department could be increased through an appropriation for the purchase of modern rotation-type filing equipment for the maintenance of personnel records.

(f) Historical Records: The Department has stored in its vaults in an inaccessible condition records running back to Revolutionary War days. It is suggested that the problem of proper disposition of these records be studied by a joint committee of the Military Department and State Library.

b. Jurisdiction:

(1) Governor's Staff: The Military Department should have under its jurisdiction only such forces as aid the Governor in exercising his command and law enforcing responsibility. The Governor's Staff which serves no military purpose should be removed from the Military Department. (See Par. 2 d above.)

(2) State Guard:

(a) Need Questioned: This study group has not been impressed with the need for a State Guard. Planning for the organization and strength of a State Guard for use when the National Guard has been ordered into Federal service should be considered in the light of existing local, municipal, and state police forces. Under conditions created by the removal of the National Guard from State control, the responsibility of the Federal Government for internal security and for protecting the state against invasion and domestic violence remains unchanged. By the same token, the means of the Federal Government for these ends are increased.

(b) State Guard Reserve: A State Guard Reserve was activated as of 15 August 1949. Plans for the Guard now provide for one Brigade broken down into two Regiments of four Battalions each.

(c) Feasibility of Police Reserve: Experience during the last war pointed to the cumbersome nature of home guard companies scattered over the State. Reliance for State Guard duty quickly fell on certain mobile units constituted as Military Police companies and turned over to the State Police as a reserve force. In the light of this experience, consideration should be given to the feasibility of establishing a State Police reserve rather than a State military reserve for emergency use.

(d) Military Reserve a Federal Responsibility: Having created the need for a State Guard by the removal of federally recognized militia from the State, the Federal Government should meet all expenses incidental to the establishment, maintenance, and equipment of a State Guard should its establishment be deemed strategically necessary. Other States have adopted this view.

(3) Governor's Guard Units: The Governor's Horse and Foot Guards whose military function is of historic rather than current significance should be removed from the Military Department. The primary function of these units is to be decorative on occasion of State celebrations

c. Federal Function:

(1) Federal Administrative Procedures: The manner in which the Federal Government administers its military affairs within the State is beyond the scope of this survey.

(2) United States Property and Disbursing Officer: The office of the United States Property and Disbursing Officer (USP and DO) functions in a dual capacity:

(a) Dual Accountability: The USP and DO is the accountable officer to both Federal and State authorities for all federally allocated property within the state. The records of this office are comprehensive and well kept.

(b) State and Federally Paid Employees: Within the office of the USP and DO are federally and state paid employees. Variance in working hours and salaries create problems of office management. State employees have no specially designated State function to perform in this office. It is suggested that the State withdraw its responsibility for maintaining personnel in this office in a manner that would permit the passing of such personnel to Federal responsibility without interrupting the work of the office.

5. The Postwar Problem of State Military Responsibility:

a. The Postwar Federally Recognized Militia:

(1) Organized to Meet State and Federal Needs: The dual purpose in the establishment of a federally recognized militia system was in order that the forces maintained under it might be available for state needs during time of peace while at the same time providing for Federal needs in time of war. During prewar years the strength training, composition, and equipment relating to these two needs were no far apart.

(2) Separation of State and Federal Needs: The strength of the postwar federally recognized militia in the State is more than twice the prewar strength, and postwar allotments run about two-and-one-half times prewar allotments. In their capacity as Federal troops the Forty-third Division, which is being developed as a striking force, certainly needs its allocation of heavy tanks, the National Guard its fighter planes, and the AAA Brigade its automatic mobile weapons. But such strength and equipment are wholly without reference to State needs.

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(3) Consideration of State Needs: The State need for a military force may be stated as the need for additional police power in times of disaster or civil disorder. The need places emphasis on training for civil affairs in all aspects.

(a) Present Training: Present National Guard Training programs necessarily place a minimum of emphasis and time on the training of guardsmen for crowd control and civil relations generally. Of the 200 hours available for military training annually perhaps 6 at the outside are given to this purpose. The State National Guard Officer Candidate School course is wholly tactical in nature and gives civil matters no attention.

(b) Disaster Plan: The Military Department has prepared a Disaster Plan which is of considerable value in planning procedure to be used in time of emergency and in defining the state mission of the military. It should be noted that this Plan is currently subject to technical revision in the light of recent Command Post Exercises based on it. Nevertheless these comments are to be made:

(i) Provision should be made for a more flexible use of martial rule under the Plan;

(ii) Any such Plan should be the result of combined planning with the State Police;

(iii) The plan is not supported by bodies of TROOPS TRAINED IN RELATION TO IT.

(c) Military Police Battalion: Consideration should be given to the establishment of a Zone of the Interior (ZI) type Military Police Battalion within the State allocation of federally recognized units. The training and equipment of such a force would uniquely combine training and equipment for both Federal and State missions.

b. Postwar State Responsibility:

(1) State Facilities Inadequate: Under the terms of the National Defense Act the State is obligated to provide adequate facilities for the housing of personnel and the storage of equipment. While personnel strength has doubled, Federal equipment allocated to the State has increased by seven times over prewar years. For the most part facilities presently provided by the State fall far short of meeting these postwar demands. Accordingly, State appropriation authorities are and will continue to be under great pressure to meet shortages in State facilities -- without any guidance as to the actual extent of State needs as such

(2) Inequitable State Burden: Both State and Federal military authorities have recognized that postwar militia requirements place an inequitable burden upon the states. Thus far no

criteria have been established by means of which an inequitable burden can be defined or determined.

(3) State Military Needs As a Measure of State Responsibility:

In view of the cleavage that has developed in the postwar federally recognized militia between the strength, training, and equipment suited to its incidental State Mission and that required by its basic Federal Mission, it has become a matter of urgency that State military needs be clearly defined so that State authorities may determine what military establishment is required as a measure of security for the state and what budgetary support is in turn appropriate to such an establishment. Such a definition will aid in clarifying what constitutes an "inequitable burden" as a guide to Federal authorities in estimating what measure of added Federal support should underwrite the provision of facilities for troops and equipment allocated to the State on the basis of national military requirements but in excess of State needs. State military appropriations should be based on the facilities required to protect that portion of Federal equipment suited to State needs and on the facilities, allowances, and other expenses required for that portion of federally allotted personnel suitable to the State Mission of the Federally recognized militia. Facilities and allowances for personnel and facilities for equipment in excess of State needs should be regarded as existing purely for Federal purposes and should be supported in toto by Federal funds.

It is strongly suggested that the Adjutant General (Chief of Staff) be directed by the Governor to prepare an estimate of State military requirements based on a State military program. This program should include:

(a) A definition of the State Mission of the federally recognized militia and an analysis of the troop strength, training, and equipment required in its support;

(b) A definition of tasks appropriate to the organized militia and an analysis of the troop strength, training, and equipment required to accomplish them;

(c) An estimate of military installations required by the State - armories, depots, garages, etc. -- in terms of the conclusions arrived at in (a) and (b) above.

(d) Budgetary estimates for a State military establishment based on conclusions arrived at in (a), (b), and (c) above based on the assumption that all allowances for personnel in excess of that determined as necessary under (a) and all facilities including maintenance for personnel and equipment in excess of that determined as necessary under (c) should be excluded from the military budget.

(e) An estimate reflecting the balance and defining

"inequitable burden" required for the proper maintenance of personnel and equipment currently allocated to the State by Federal military authorities in excess of personnel, equipment, and facilities determined under (a) and (c).

In making such a study the Adjutant General should be requested to include the following considerations:

(a) The responsibility of the Federal Government for protecting each state against invasion and the availability of Federal military forces to the State in the event of threats to regularly constituted authority, serious domestic violence, and major disaster;

(b) The Governor's primary responsibility for insuring faithful execution of the laws of the State which establishes both the basis for as well as the limits of his military responsibility to the State and which is normally supported by State agencies other than the military.

(c) The record of actual use by the state over the past twenty-five years of its federally recognized militia and organized militia in civil disturbance, natural disaster, and other emergency, situations;

(d) The growth in effectiveness and use over the same period of State Police forces and the role of the State military establishment in relation to this development;

(e) An evaluation by unit of the military force presently allotted to the State by Federal authorities in terms of their suitability to their nominal State Mission;

(f) An evaluation in the same terms of the present training program of the Federally recognized militia;

(g) The feasibility of receiving one or more independent Military Police Battalions within the State allotment either in addition to or in lieu of certain units within the present allotment;

(h) The feasibility of developing the organized state militia as a police reserve rather than a military reserve force;

(i) Applicability in the light of the above conclusions and considerations of Section 1244 of the Statutes, 1949 Revision, which established a mandatory enlisted strength for the State military forces, to the presently determined military requirements of the State.

6. Other State Safety Agencies:

a. Role of State Police: The State Police have become the agency

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for the handling of minor civil disturbances and industrial disputes. By training the State Police are better fitted to perform such duties than the military. This is borne out by the fact that only once since the First World War and not at all during the past decade have the State Police been unable to cope with civil disorder and have the military been called out in their support.

b. Need for Military Police Collaboration: The close identity of the State mission of the National Guard and the emergency function of the State Police underscores the need for collaboration between these two agencies as suggested in paragraph 5 a (3) (b) and paragraph 5 b (3) above.

C: CLASSIFICATION OF SUGGESTIONS

(Numbers and letters in parentheses refer to corresponding topics in Sections A and B.)

1. Constitutional Amendments: No constitutional amendments are necessary to secure any of the proposals made in the Report.

2. Statutory Proposals:

a. New Legislation and Content Changes:

(1) Delegated Authority to Call out Militia: (B, 2, c.)

Under Section 1261 (Chap. 63, 1949 Rev.) authority is given to a military officer to call out parts of the organized militia during an emergency when the Governor cannot be reached. This power should be limited to times of emergency occasioned by disaster and should not include those occasioned by civil disorder. The section should be amended to read:

Calling Out Troops Without Governor's Order

In time of disaster, as flood, hurricane, and fire, whenever any civil officer whose duty it is to enforce the civil authority in any place in this state shall find it impossible to communicate immediately with the governor, and shall deem the danger too imminent to admit of delay, he may make written requisition for assistance, containing a statement that he is unable to communicate with the governor, upon the senior officer of any part of the organized militia or national guard located in his town, city, or county, and such commanding officer is authorized thereupon to exercise, with respect to calling out troops under his command, the powers conferred by law upon the governor, until he shall receive instructions or orders from the governor.

(2) The Governor's Staff: (B, 2, d.)

(a) Abolition of Staff: Public Act. No. 75 (1949)

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An Act Concerning the Governor's Staff, should be repealed.

(3) The State Military Department: (4, a, (1), (b).) In order to provide for the establishment of a military department, the following proposed statute should be enacted:

An Act Establishing A Military Department

A military department shall be established to act as the agent of the governor in performing the military functions of the state and to be the designated agency to conduct relations with the federal military authorities. The head of the military department shall bear the title of Chief of Staff instead of Adjutant General and the Assistant Adjutant General shall be designated as Deputy Chief of Staff.

(4) No Military Council Required: (4, a, (1), (d).) Sec. 1238 of the General Statutes, 1949 Rev., should be repealed. Otherwise the discretionary authority of the Adjutant General (Chief of Staff) would be limited. There is also no need for the Military Council as the Adjutant General already administers his duties through a staff established on accepted military lines.

(5) Staff of the Commander of the Naval Militia: (3, c.) It is suggested that the statutory provision (Sec. 1249, 1949 Rev.) creating the Staff of the Commander of the Naval Militia be repealed as in conflict with naval regulations and as unnecessary.

(6) Governor's Guard Units: (4, b, (2)) If the guard units become private companies as suggested in this report, then Chap. 64 of the General Statutes, 1949 Rev., which pertains entirely to the Guard units, should be repealed.

b. Obsolescent Items:

(1) Statutes Require Editorial Revision: Because of the passage by Congress of acts regulating selective service, certain sections of the general statutes of Connecticut are obsolete. It is suggested that the following sections of the General Statutes, 1949 Rev., be repealed: Sections 1226 (except for the first sentence), 1227, 1228, 1229, 1230, 1231, and 1232.

c. Editorial Changes:

(1) The Governor as Commander-in-Chief: The first sentence of Section 1226 of Chap. 63 should be combined with Section 1233 of the same Chap. The new section would then read as follows:

Governor to be Commander-in-Chief

The governor shall be the captain-general and, as such, commander-in-chief of the militia, not in the service of the United States, and

may employ it, or any part of it, for the defense or relief of the state, or any part of its inhabitants or territory; and shall have all the powers necessary to carry into effect the provisions of this chapter. In time of war, invasion, rebellion, or riot or reasonable apprehension thereof, or upon requisition by the president of the United States, the governor shall order out for active service such portion of the militia as he may deem necessary. He shall issue all orders and prescribe all regulations for the organization and government of the organized militia, the national guard, and the naval militia. Such orders and regulations shall not be in conflict with the laws and regulations of the United States. He shall issue all orders and regulations necessary to cause the national guard and naval militia to conform at all times to the regulations of the United States relating thereto.

(2) The Adjutant General to become Chief of Staff and the Assistant Adjutant General to become Deputy Chief of Staff: Due to the designation of the head of the Military Department as "Chief of Staff" and the Assistant Adjutant General as "Deputy Chief of Staff" all statutory references to them as "Adjutant General" and "Assistant Adjutant General" must be deleted and the new titles inserted. Those sections of Chapter 63 of the General Statutes, 1949 Rev., where a change of titles is necessary, are as follows: Sections 1235, 1237, 1240, 1241, 1242, 1248, 1251, 1252, 1254, 1263, 1270, 1272, 1274, 1276, 1278, 1282, 1284, 1285, 1287, 1302, 1305, 1308, 1309, 1311, 1312, 1313, 1314, and 1315. The same change must be made in Public Acts of 1949 No. 66, 75, 87, 237, and 265.

3. Administrative Proposals:

a. Within Existing Agencies:

(1) Personnel Records in the Military Department: Provision should be made in the budget for the purchase of modern equipment for the keeping of personnel records.

(2) Removal of State Employees from Office of U.S. Property and Disbursing Officer: It is suggested that the State, through the Military Department, withdraw its responsibility for maintaining personnel in this office in a manner that would permit the passing of such personnel to Federal responsibility without interrupting the work of the office.

(3) Modification of the Disaster Plan: In preparing the revision of the Disaster Plan which is to be done by the Military Department, it is suggested that provision be made for a more flexible use of martial law.

(4) The Establishment of a Military Police Battalion:

Administrative consideration should be given to the establishment of a Military Police Battalion within the State allocation of federally recognized units.

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(5) The Establishment of a State Police Reserve: If a State Guard Reserve is maintained it is urged that consideration should be given by the Military Department to the feasibility of establishing a State Police Reserve rather than a State Military Reserve for emergency use.

(6) The Preparation of an Estimate of State Military Requirements:

It is strongly suggested that the adjutant General (Chief of Staff) be directed by the Governor to prepare an estimate of State military requirements based on a State Military Program. The subjects to be included in the estimate will be found in Parts I and II, 5 b (3) and (4).

b. Coordination of Existing Agencies:

(1) Provisions for Private Car Travel Allowance: This should be referred to Study Group 2, Fiscal, in order to provide compensation for the use of private cars for official business.

(2) The Preservation of Historical Records: It is suggested that Study Group 15b. Land, Records, Communications, determine the proper disposition of historical records now stored in the vaults of the Armory.

(3) Need for Military-State Police Collaborations: Because both the Military Department and the State Police have the same responsibility of maintaining law and order in time of disaster, riot, and civil disturbance the close collaboration between these two agencies is urged both with respect to planning and execution.

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PART II - DISCUSSION AND SUPPORTING DATA

A: DISCUSSION

1. The Constitutional Basis of the Authority for the Exercise of Military Powers:

a. The Grant of Military Powers in the United States

Constitution to the Federal Government and to the States:

The United States, like other states, has the right to maintain its existence and may use any and all of its resources and powers for the purpose. The United States being a federal state, there exists under the Constitution of the United States a division of military power between the national government and the states. This division is not an equal one for the central government has been given the power to wage war and to govern the different arms of the military services, while to the states is given a sharply restricted war power.

The United States Constitution gives to Congress the power to raise and support armies, to provide and maintain a navy and to make the rules that govern them.¹ Under authority of these grants of power, Congress has set up and maintains, the Army, Air and Naval forces of the United States.²

Also included in the Constitution are the so-called "militia" clauses.³ Over the militia, the national government and the states are given a joint control. Congress is assigned the duty of providing for organizing, arming and disciplining the militia. In addition, Congress is given the power to call forth the militia. "to execute the laws of the union, suppress insurrections and repel invasions," and to govern any part of that body when called into the service of the United States. To the states is reserved the power of appointing the officers and for the training of the militia according to the manner prescribed by Congress.³

1. Art. I, Sec. 8.

2. Generals J.M. Palmer and Louis L. Babcock maintain that this grant of power to Congress enables that body, "to establish a peacetime citizen army reserve as well as a standing army." Reserve Forces for National Security (The Gray Report), Washington, 1948, p. 87. Hereinafter cited as the Gray Report.

3. Art. I, Sec. 8

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The President of the United States, by the Constitution, is made Commander-in-Chief of the Army and Navy and of the Militia when called out into the service of the United States.⁴ He is also given the responsibility of seeing that the laws are faithfully executed.⁵

Because of the fact that the large substantive war powers are given to the Congress of the United States, the national government is required to guarantee to every state a republican form of government and to protect each state against invasion or domestic violence.⁶ The States can use military force against an outside force only when the states are "actually invaded or in such imminent danger as will not admit of delay."⁷ Notwithstanding these severe restrictions, the Constitution recognizes the right of a state to maintain a militia and to use the militia for state purposes.⁸

b. Provisions in the Constitution of the State of Connecticut that Relate to the Exercise of Military Power:

The establishment of the militia in Connecticut goes back to colonial days, notwithstanding the fact that the military power of the state today is exercised within the limits of the Federal Constitution and the laws made in pursuance thereof. The maintenance of a citizen soldiery was permitted in the Charter of 1629 and during colonial days and early statehood use was frequently made of this arm of the government.

4. Art. II, Sec. 2

5. Art. II, Sec. 3

6. Art. IV, Sec. 4

7. Art. I, Sec. 10

8. Amend. II. In case of domestic difficulties, the Federal Government sends federal troops into a state under two conditions; first, federal troops can be sent into a state when the governor of that state requests the President of the United States to do so; second, federal troops can be sent into a state to assure the performance of a necessary federal function. See, in re Debs, 158 U.S. 564 (1895).

9. In the Charter of 1662 authority was granted "from tyme to tyme and att all tymes hereafter, for their speciall defense and safety to Assemble, Martiall Array, and putt in Warlike posture the Inhabitants of the said Colony...And to use and exercise the Law Martiall in such Cases only as occasion shall require." Connecticut State Register and Manuel, p. 32.

The constitution of 1817, which is in effect today, states in the Declaration of Rights that every citizen has a right to bear arms in defense of himself and the state¹⁰ but maintains the doctrine that "the military shall, in all cases, and at all times, be in strict subordination to the civil power."¹¹ The governor is required to see that the laws are faithfully executed¹² and is made Captain General of the militia of the state, except when called into the service of the United States.¹³ It is, therefore, by virtue of these grants in the Constitution of the State of Connecticut and by their implications that the military agencies of the state were established and are maintained today.

The General Assembly has, by statute, filled in the framework and outlined the powers and duties of the component parts of the Military Department. Chapters 63, 64 and 65 of the General Statutes, as revised in 1949, are concerned with matters that pertain to the military function. The amendment of statutes and the adoption of new ones have frequently taken place. The 1949 Assembly adopted ten public acts that concern the military function.¹⁴ Possible amendments and changes in the statutes will be mentioned from time to time in this report and, at the end, there will be a summary of all deletion, amendments and substitutions that have been suggested.

¹⁰ Art. I, Sec. 17.

¹¹ Art. 1, Sec. 18.

¹² Art. IV, Sec. 9. In the Model State Constitution, the governor "shall take care that the laws are faithfully executed...He shall be Commander-in-Chief of the armed forces of the state (except when they shall be called into the service of the United States), and may call them out to execute the laws, to suppress insurrection or to repel invasion." Model State Constitution, Fifth Ed., Art. V, Sec. 503. The provision in the Connecticut Constitution has been supplemented by Sec. 1233 of the General Statutes, 1949 Rev. This reads, "The governor shall be the captain-general and, as such, commander-in-chief of the militia, and of the national guard and the naval militia, not in the service of the United States, and may employ it, or any part of it, for the defense or relief of the state, or any part of its inhabitants or territory; and shall have all the powers necessary to carry into effect the provisions of this chapter."

¹³ Art. IV, Sec. 5. A more detailed statement of his powers as Commander-in-Chief of the Militia is found in Sec. 1233 of the General Statutes, 1949 Rev.

¹⁴ Public Act 8, 66, 75, 81, 234, 237, 264, 265 and 283. The majority of these acts deal with internal matters within the Military Department.

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Conclusions and Suggestions:

All conclusions with respect to State military authority and agencies are made in the light of the basic Federal military responsibility for the guaranteeing of a republican form of government and for protecting each state against invasion or domestic violence.

2. The Military Powers of the Governor:

a. The Governor as Commander-in-Chief:

The Constitution of Connecticut provides that the governor shall be the Captain-General of the Militia and requires him to see that the laws are faithfully executed.¹⁵ This designation as "captain general" is the same had the term "commander-in-chief" been used. As Commander-in-Chief the governor, by statute, is given full authority to use the militia, "or any part of it, for the defense or relief of the state, or any part of its inhabitants or territory; and shall have all the powers necessary to carry into effect the provisions of this chapter."¹⁶ The governor is given power to call out the militia in time of war, invasion, rebellion or riot and also upon requisition by the President of the United States.¹⁷ He is also responsible for prescribing the rules for the organization and government of the organized militia, national guard and the naval militia.¹⁸ These rules must be in harmony with federal laws and regulations.

The provisions giving full authority to the governor are satisfactory. The calling out of troops is an important and serious matter and the governor is the proper person to exercise this power. Of course, power may be abused. Abuse of power is not peculiar to any one office. As a rule, the governors of Connecticut have been careful to use this power in a circumspect manner. Not only are there political repercussions when this power is abused but the governor's action in calling out troops is reviewable by the courts. If it is not necessary, it is disallowed.

From his power to execute the laws and to call out the militia stems the governor's authority to declare martial law or a state of martial rule. His declaration of martial law is also reviewable by the courts, for it should be used only for a sustentative purpose of restoring law and order and the proper functioning of the civil courts.¹⁹

¹⁵ Art. IV, Secs. 5 and 9

¹⁶ Sec. 1233, 1949 Rev.

¹⁷ Secs. 1226 and 1260, 1949 Rev.

¹⁸ Sec. 1233, 1949 Rev.

¹⁹ Sterling v Constantin, 287 U.S. 378 (1932). At times governors of the different states have declared martial law and called out the militia when no civil disturbance existed but to have their own way. A governor of South Carolina declared martial law to oust certain

The only suggested change in the law relative to the governor's power as commander-in-chief is due to the provision that permits a senior militia officer in a city, town, or county to call out the militia whenever the governor cannot be reached,²⁰ the action of this military officer to be controlling until he receives instruction or an order from the governor. This is such an important power, that its use should be limited. Used improperly, in industrial disputes or when unnecessary, it could cause much trouble and serious embarrassment to the governor. Therefore it would be good procedure to make the governor alone responsible for calling out the militia in time of riot or civil disturbance and temporary authority to call out troops should be given to military officers only in time of flood, fire, hurricanes or similar types of disaster.

Conclusions and Suggestions:

The Governor of the State is responsible for the faithful execution of the laws of the State. To insure such execution he is, under the Constitution of the State, Commander-in-Chief of all state militia not in the service of the United States.

There should be no limitation in the statutes upon the power of the Governor as Commander-in-Chief of all state militia not in the service of the United States provided his power is exercised in conformance with Federal law.

b. The Governor's Staff:

The governor's staff was first provided for in 1874 when the general assembly of that year set up a staff for the commander-in-chief.²¹ The staff continued in existence until the year 1917 when that section of the general statutes that provided for the staff was repealed.²² From 1917 until 1923 there was no staff. However, in the latter year the staff was

¹⁹ (continued)--officers over whom he had no power of removal. This action was disallowed by the Supreme Court of South Carolina. Hearon v Calus, 178 S.C. 381 (1935). For an instance when the governor's action secured court approval, see Cox v McNutt, 12 Fed. Supp. 355 (1935).

²⁰ Sec. 1261, 1949 Rev.

²¹ The 1874 act stated, "The staff of the Commander-in-Chief shall consist of an adjutant general with the rank of brigadier general, appointed by him; a quartermaster general, each with the work of brigadier general, and appointed by him, with the consent of the senate, and four aides-de-camp each with the rank of colonel, appointed by him." Public Acts of Conn. 1872-1880, p. 269.

²² Conn. Public Acts, 1917, Chap. II.

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reconstituted²³ and with frequent changes in number and personnel has continued in existence to the present time.²⁴ The last revision in 1949 provides that the Adjutant General, as Chief of Staff, shall have the rank of Major General and the Assistant Adjutant General, the rank of Brigadier General. An active military airman with the rank of Colonel, and the Surgeon General, who was inadvertently omitted from the staff by the Act of 1947, were made members of the staff. The Major's Commandant of the First and Second Governors' Foot Guards and of the Governors' Horse Guards were continued as ex officio members of the staff. Two members of the naval militia were for the first time designated by law to serve on the staff.²⁵

Actually during past years the number on the staff has varied from governor to governor. The 1949 act sets the number at seventeen. During wartime the governor is given a free hand in determining the members of his staff.^{25a}

The members of the staff, excluding members in the regular employ of the state, receive pay only when ordered by the governor to attend him.

The purpose of the governor's staff is to serve as an escort to the governor on state occasions, at celebrations and important social functions.

The staff serves no military purpose.

Suggested Procedure with Respect to the Governor's Staff:

Abolish the Governor's Staff. This could be done without interfering with the military function. Whenever he might need an escort, the Governor could designate certain high military officers to accompany him. In this way he would have a wider and more flexible choice of personnel.²⁶ The money saved to the state could be used for a military purpose.²⁶

²³ Conn. Public Acts, 1923, Chap. 222, Sec. 12.

²⁴ Changes in rank and number were made in 1943, 45, 47 and 49. See Public Acts of Conn. 1943, S 162g; 1945, S 168h; 1947, S190i; and 1945, Pub Act No. 75.

²⁵ Public Act No. 79, Session of 1949. The law reads that six of the twelve aides-de-camp must come from the national guard and two from the naval militia.

^{25a} See appendix 17, Part II-B

²⁶ The State of New Jersey has abolished the Governor's Staff. The governor simply details officers to act in the capacity of staff officers. There is no appropriation in the budget needed. This action had the backing not only of budget officials but also of the military officers, for it eliminated the pseudo-colonel who all too frequently is found on the staff of many governors.

3. The Status of Federally Recognized Militia:

a. The National Guard:

The National Guard is a force organized under the terms of the National Defense Act of 1916 as amended. This Act marries the traditional system of State controlled Militia, a system which not only preceded the formation of States but which received Constitutional provision, with modern requirements for national defense. Under the Act that portion of the organized militia of a State that meets minimum federal strength and training requirements receives federal recognition and so becomes the National Guard of that State;²⁷ units and elements of the National Guard of the several states together constitute the National Guard of the United States.²⁸ Thus, the National Guard is constituted as a single force with two missions: on an over-all basis a federal mission, the mission of the National Guard of the United States; on a local basis, a State mission, the mission of the National Guard of each of the several states.

The federal mission of the National Guard of the United States is responsive to the basic military responsibility of the Federal Government, discussed under 1 above, for guaranteeing a republican form of government and for protecting each State against invasion or domestic violence by providing a supplement to Regular Army forces in readiness for war or national emergency. This mission has been defined by the Department of the Army as follows: "To provide a reserve component of the Army of the United States, capable to immediate expansion to war strength, able to furnish units fit for service anywhere in the world..."²⁹

²⁷ Wherever National Guard of a State or States is referred to, it will be assumed to include the District of Columbia and the Territories as well.

²⁸ National Defense Act, Sec. 71. The National Defense Act will be referred to in subsequent footnotes as NDA.

²⁹ Approved War Department Policies relating to Postwar National Guard and Officers Reserve Corps, 13 October 1945, Sec. II. Reference to these policies in subsequent footnotes will be as WD NG Policies.

The state mission of the National Guard of the several states is responsive to the military responsibility of the Governor of the State, discussed under 2 above, for insuring faithful execution of the laws of the State. This mission has been defined by the Department of the Army as follows: "To provide sufficient organization in each State, so trained and equipped as to enable them to function efficiently at existing strength in the protection of life and property and the preservation of peace, order and public safety, under competent orders of the State authorities."³⁰

Command authority in peacetime over the National Guard units in each State is vested in the Governor of the State.³¹ Yet these units are in fact reserve elements of a national force. They are allocated to each state by federal authority in terms of an, over-all balanced force within the national military establishment which, when combined, can form complete higher tactical units.³² Since the State Governor has no responsibility whatsoever for national defense or M-Day plans, he has no substantive responsibility for the National Guard units allocated to his State. This basic responsibility necessarily continues to rest with federal military authorities.

Separation of command function from corresponding responsibility represents the outstanding departure from accepted military procedures within the National Guard structure and gives rise to most of the problems relating to the National Guard subject to discussion in this survey. For such State responsibilities as exist with respect to the National Guard, such as the obligation to provide adequate facilities for the protection of federal equipment, do not reside in the Governor's command authority and hence are not subject to control by State initiative; rather, they are a function, defined by federal law, of the strength and type of National Guard units maintained in the state as determined by federal authorities.

The relationships of the State and Federal Governments to the National Guard of the State, as they are set forth by the National Defense Act, are reviewed briefly below:

All policies and regulations affecting the organization,

³⁰ Idbid.

³¹ Under NDA, Sec. 111, when Congress declares a national emergency and authorizes the use of troops in excess of those of the Regular Army, the President may order the National Guard of the United States into active service and thereby relieve all persons so ordered from duty in the National Guard of their respective States.

³² NDA, Sec. 60.

distribution, and training of the National Guard originate in a Department of the Army General Staff Committee on National Guard policy for action by the Secretary of the Army under the provisions of Section 5.

Over-all administrative control over the National Guard, based on approved Department of the Army policies, is maintained by the National Guard Bureau established as a special staff division of the Department of the Army under Section 81. Units and organizations of the National Guard are allocated to the States by the Department of the Army on the basis of an over-all balanced force under the terms of Section 60. The State may determine the home station of units so allocated under Section 68 of the Act.

While the State is charged with responsibility for recruiting and, under the Constitution, the training of its militia forces, Federal authorities prescribe the minimum strength and training standards required for federal recognition. In consequence, they effectively control the minimum strength level within each state as well as training procedures under Section 58, 62, and 92. All training is supervised by Regular Army instructors assigned to such duty with the National Guard who remain under Army command and who exercise no command function in the National Guard.

Finally, it is the responsibility of the Federal Government to support the National Guard financially and to provide for its clothing, equipping, and arming in the same manner as the Regular Army under Sections 67, 82, and 83 of the National Defense Act. Apportionment of funds appropriated by Congress is determined by the Secretary of the Army and administered through the National Guard Bureau. Under Section 67 provision is made for the appointment within each State of a National Guard officer, subject to the approval of the Secretary of the Army, as a United States property and disbursing officer to administer the issuance of federal property and disbursement of funds and to account for all federal funds and property issued to and in possession of the State.

What does all this leave as an area of concern for the state? Under the terms of Section 83, as a condition precedent to the issue of any federal property, the State is obliged to make adequate provision for its protection and care. Under Section 87 the State is held responsible for the loss, damage, or destruction of property caused by carelessness or neglect. This responsibility in turn becomes the individual responsibility of the National Guard officer to whom equipment has been signed over. Finally, under its responsibility for the provision of personnel on a basis of voluntary enlistment, the State is considered, as a matter of Department of the Army policy, responsible for the housing of such personnel. "The States will furnish the personnel, adequate armories, and storage facilities...adequate for the housing of personnel and the storage of equipment."³ Adequacy in turn is determined, under Section 90 of the National Defense Act, by federal inspection and approval

33 WD NG Policies, Sec. VIII.

In summary it can be said that the units allocated to the State and the equipment in turn issued to such units are determined by national rather than by local considerations and reflect the objectives laid down in the federal mission of the National Guard rather than those in its State mission. Hence, the responsibilities placed on the State with respect to providing facilities for its National Guard units and equipment cannot be properly considered as related to the Governor's command authority since that authority is related exclusively to the Guard considered as a State force with a state mission.

It is true that under Section 60 of the National Defense Act it is provided that no change in allotment, branch or arm of units or organizations wholly within a single state will be made without the approval of the governor of the State concerned. But in practice State governors are not prone to bring upon themselves the onus of acting against the interests of national defense by refusing the allocation to them of units considered necessary by federal authorities.

The problem created by this aspect of State obligation in its specific postwar context will be further explored in 5 below. Here the major concern has been the relationships of the State and Federal Government to the National Guard.

Conclusion: The State Statutes defining State obligations and responsibilities with respect to the National Guard have been reviewed and found satisfactory. To be commended are the provisions of Section 1254, 1949 Rev., on the appointment of commissioned officers which place the appointive powers of the Governor in accordance with federally prescribed regulations.

b. The Air National Guard:

The establishment of the Department of the Air Force under a Secretary of the Air Force by the National Security Act of 1947 has in turn confirmed separate establishment of an Air National Guard. The Air National Guard, however, differs neither in terms of legal status nor administrative relations to the States from the National Guard.

The National Security Act of 1947 provided with respect to the administration of the Air National Guard that the National Guard Bureau would, in addition to the functions and duties performed by it for the Department of the Army, be charged with similar functions and duties for the Department of the Air Force, and would be the channel of communication between the Department of the Air Force and the several States on all matters pertaining to the Air National Guard.

Conclusion: The conclusions with respect to the National Guard in a above apply fully to the Air National Guard.

c. The Naval Militia;

The Naval Militia is organized under the terms of the Naval Reserve Act of 1938. Like the National Guard, it is a dual status organization. Unlike the National Guard, it poses no problem of responsibility to the State.

The strength of the Naval Militia and the number of units within a given State are entirely a matter of State initiative and decision. Thus, Naval Militia personnel and units as such in no sense reflect national requirements but simply the extent to which the State itself wishes to support a Naval Militia program. Naval Militia units are at all times under command of the Governor. Provisions exist in the Naval Reserve Act for the appointment or enlistment of Naval Militia personnel in the Naval Reserve in the grade or rank for which they may be qualified under naval regulations, within a year of such appointment or enlistment, however, they must further prove their qualifications for the grade or rank held by them in accordance with Organized Reserve regulations. At the same time officers and men of the National Reserve who are members of the state militia stand relieved from all services or duty in the Naval Militia when on active duty whether in time of war or simply when ordered to such duty.

Thus, it can be said that Navy M-Day plans are essentially based on the organization, equipment, and training of its reserve rather than of the Militia units as such. Indeed, such units are not, as in the case of the National Guard, balanced or self-sufficient, but are in effect dual status training units whose personnel can either bring to war complement a combatant ship or provide a pool for mobilization rather than operational units to be mobilized as such.

Naval Militia training standards are identical to those set by the Secretary of the Navy for the Organized Naval Reserve. All training facilities--armories, armament, equipment, vessels, etc.--available for the Naval Reserve are also available to a unit of the Naval Militia, provided that 95% of the personnel of the unit belong to the Naval Reserve, that the unit is attached to or associated with an organization of the Organized Reserve, and that the organization, administration, and training of the Naval Militia unit conform to the standards prescribed by the Secretary of the Navy.

This means that the State need have no federal property in its possession for the training and maintenance of its Naval Militia and further, that it is responsible for the provision of no facilities for the housing of either personnel or equipment. All training facilities open to the Naval Militia are under the command of Naval Instructors-Inspectors who are wholly responsible for the facilities under their control. This means that no individual member of the Naval Militia is charged with responsibility for federal property. It also eliminates the need for machinery corresponding to that under the United States Property and Disbursing Officer

for accounting for federal property in possession of the State. In short, the major burden to the State by reason of its support of Naval Militia units is with respect to uniform allowances as provided for under Section 1270 of the Statutes.

As far as can be determined, the Naval Militia as presently constituted offers no problem to the State. Accordingly, the Naval Militia will not be included in the further discussion of problems raised by the federally recognized militia below. In the organization of the State Naval Militia but one conflict, of slight practical consequence, was found between federal regulations and State law. The Statute providing for the Commander's Staff, Sec. 1249, 1949 Rev., is impossible of execution since the Navy makes a different and lesser provision for a battalion staff.

Conclusions and Suggestions:

The conclusions with respect to the National Guard and A R National Guard in a and b above equally to the Naval Militia with the exception of the Statute providing for the Staff of the Commander of the Naval Militia which conflicts with Naval provisions for such a staff.

It would be absurd to write a new Statute reconciling State law with Naval regulations since no State law is required. The appointment to a position of military command carries with it the injunction to form a staff capable of implementing that command. It follows that implementation in this case must be in conformance with Naval Regulations since the existence of the Naval Militia is conditional on such conformity.

It is suggested that the statutory provision, Sec. 1249, 1949 Rev., creating the Staff of the Commander of the Naval Militia should be removed from the Statutes as in conflict with Naval Regulations and as unnecessary.

4. The State Military Department:

a. State Function and Organization:

(1) General: The Military Department as such is but ten years old. It was established by statute in 1939, Sec. 215 e, under the Adjutant General as the result in part of recommendations made by a commission appointed to study State administrative agencies under Governor Cross in 1938. Prior to that time the military affairs of the State had been handled separately by an Adjutant General who was appointed for life and who was responsible for administration, personnel records, correspondence, troop training, and for National Guard affairs generally; by a Quartermaster General who was unpaid and who supervised the maintenance of State military property and property issued to the State; and by an Armory Board concerned with the construction of armories and replacement of old structures.

The legislation of 1939 placed these separate functions within one department; clarified the personnel and administrative functions of the Quartermaster General; changed the term of office of the

Adjutant General from life to an eight-year term; provided for the office of Assistant Adjutant General with a similar term; terminated the existence of the Armory Board by transferring responsibility for new construction to the Adjutant General; and created the office of Deputy Quartermaster General in lieu of Armory Board Inspector.

This legislation, however, did no more than establish a Military Department on paper. The adjutant General and the Quartermaster General continued to report separately to the Governor on their respective functions, maintained separate offices of record, and accounted separately for funds. The Adjutant General had no responsibility for military property matters.

It is in terms of this background however, that the statutory establishment of the Military Council, which is still provided for in statute must be understood. For the Military Council was also created in 1939 to replace the old Armory Board. Its function was to bring together in an advisory capacity to the Adjutant General such officers as the Quartermaster General and Deputy Quartermaster General who were not under his command and whose military responsibilities lay in other areas. When the Adjutant General was given full authority under the Governor over all the military affairs of the State, the Military Council lost its meaning.

The basis for proper departmental organization and centralized administration of the Governor's military responsibilities was not laid until 1943 when all of the duties and responsibilities of the Quartermaster General were by statute transferred to the Adjutant General. The title of the Quartermaster General was then changed to Armory Inspector³⁴ and the position of Deputy Quartermaster General was abolished. The Adjutant General was given authority to appoint both the Assistant Adjutant General and the Armory Inspector. In short, the Adjutant General was vested with full authority for administering the military responsibilities of the Governor and the opportunity for appropriate delegation of such authority in terms of the functions of his office was opened. Grounds for the present organization of the Department were laid at this time. There were, however, certain administrative lags that delayed for a time the full realization of this opportunity. For example, it was not until July 1, 1948 that a Fiscal Section was established and the books of the previous Adjutant General's Office and Quartermaster General's Department consolidated within one center of fiscal administration.

While the statutory changes of the past ten years have provided for the organization of a Military Department along fundamentally sound lines, certain anachronistic and unworkable Statutes still remain in the books with respect to the Department.

³⁴ By Public Act 66, May 16, 1949, the title of Armory Inspector was changed to Property and Procurement Officer.

Conclusions and Suggestions:

(a) Definition of Department Required: It is first of all suggested that the Committee on State Government Organization define State administrative departments for purposes of clarifying their place within the total administrative structure and their relationships with one another.

(b) Statutory Provision for Military Department: In the 1949 Revision of Statutes, the statute establishing the Military Department was omitted. There is thus no Statute providing for a Military Department; simply one, Sec. 1235, 1949 Rev., stating that the Military Department shall be in charge of the Adjutant General.

It is suggested that provision in the Statutes should be made for the establishment of the Military Department to perform the military functions of the State and to be the designated State agency for relations with the Federal military authorities.

(c) Adjutant General to Chief of Staff: The title of Adjutant General as head of the Military Department is an anachronism dating from before the introduction of a general staff organization into our military system; then the Adjutant General together with the Quartermaster General combined both policy and administrative functions and were the major staff advisers to a commanding general. At that time it was appropriate for an Adjutant General and a Quartermaster General to handle the military affairs of the State for the Governor. But now the system under which such titles were appropriate has been done away with by the State--as has the title Quartermaster General. Today the title adjutant General implies a special staff officer charged with keeping personnel records, correspondence, and the publication of orders and directives. It is therefore an inappropriate title for the head of a military department under whom staff operations have been apportioned on a functional basis. This has been recognized in both New Jersey and New York.

It is suggested that the head of the Military Department be designated as Chief of Staff and the Assistant Adjutant General as Deputy Chief of Staff.

(d) No Military Council Required: Reference is made to the background discussion above of the Military Council as a carry-over of the old Armory Board which reflected the independent organizational status of the Adjutant General and the Quartermaster General. Given the present statutory definition of the authority of the Adjutant General and the consolidation of all State military functions within the Military Department, provision for a Military Council to advise the Adjutant General is a further anachronism.

It is suggested that statutory provision for a Military Council be done away with because it limits the discretionary authority of the Adjutant General (Chief of Staff) who already administers his duties through a staff established on accepted military lines.

(2) Organization and Administration: The Military Department is now organized along the generally accepted lines of a military headquarters. That is, its basic operational functions have been assigned to general staff divisions covering personnel (G-1), public relations (G-2), plans and training (G-3), property and procurement (G-4), and special staff divisions for fiscal administration and State personnel. An organization chart is appended,³⁵ together with schedules setting forth the functions in turn assigned within each staff division to designated personnel.³⁶ While the Office of the United States Property and Disbursing Officer is shown as a staff division on the appended chart, it will be discussed separately in considering the federal functions and responsibilities of the Department.

Not much, comment on the organization of the Department as such is required. It is amply clear that sound organizational procedures have been applied and that such flaws as exist are of a wholly minor character as compared with the state of affairs ten years ago-- or even a year ago, prior to the establishment of a fiscal section. Such shortcomings as were found are, in short, subject to remedial action along administrative lines on the initiative of the Department itself, and responsible officers appear to be fully aware of them. Generally, they represent compromises--typical of every organization in transition--in the interest of smooth working relations between organization perfection as laid down by the charts and personal attitudes and habit established over the years under differing organizational forms; as of the moment the detailed knowledge behind the habit is perhaps more valuable to the organization than perfection of form.

In any event there is no division of responsibility or overlapping of functions. The chain of command and channels of communication are clearly established. Weekly staff meetings are held to insure continuing understanding of established policy and for the discussion of new policy. Through the media of general orders, circulars, and letters of instruction, basic and pertinent information as respecting policy and duties is given effective and current distribution.

The best indication of the over-all economy with which the department office administrative affairs are managed is reflected in the appended table of prewar and postwar personnel figures.³⁷ Over the prewar years shown, office affairs, taking the former Adjutant General's Office and Quartermaster General's Department together, were operated with a staff of from fifteen to seventeen. During these years the strength of all federally recognized militia elements average 4,500 against an allotted strength that was always under 5,000. Today twenty-three office employees are responsible for administering the personnel records and providing for the State sponsored needs of federally recognized militia forces with an actual strength approaching 9,000 and an allotted strength of over 13,000.³⁸ This slight increase in office personnel reflects chiefly

³⁵ See Appendix 1 a, Part II, B

³⁶ See Appendix 1b, through i, Part II, B.

³⁷ See Appendix 2 Part II.

³⁸ See Appendix 3, Part II.

the creation of a Fiscal Division in 1948 and the sharply increased State payroll load occasioned by expansion in the number of field maintenance employees under G-4. This increase in field employees such as armory caretakers and maintenance crews is wholly attributable to the more than sevenfold increase in Federal property for which the State has assumed responsibility since the war.

The G-1 Division of the Military Department is in large measure the former Adjutant General's Office. It is charged with processing and maintaining military personnel records, preparing strength reports to federal authorities, the publication of orders, and the preservation of historical records, and so forth. Associated with the G-1 Division is the so-called State Personnel Division administered and manned by one employee. Maintenance of work and benefit records for State employees in and under the charge of the Department probably warrants the job position as a full-time assignment. But since the essentially record-keeping nature of the job pertains wholly to normal internal administration and is in no sense an operational function of the Department, it would seem preferable that it not be considered as a special staff section but be included as part of the office of the Assistant Adjutant General.

Needless to say, the postwar increase in National Guard strength has seriously taxed the resources of the Department's G-1 Division. Personnel records are maintained both on an individual basis (201 files) and by units, with a summary card for each man. These are presently kept in drawer-type files. The efficiency of the Division could be increased by the installation of modern rotation-type filing equipment for such records. In addition, the continuing work-load has made impossible the proper handling of records of an historical nature. The Department has stored in its vaults in an inaccessible condition records running back to Revolutionary War days. Provision will have to be made for their appropriate disposition.

The G-2 Division of the Department is a "G-2" Division in name only. That is, it performs no military intelligence function. Manned by one employee as Public Information Officer, it handles publicity and public relations matters for the Department. As an indication of its work, it recently handled with some success a campaign seeking support for the National Guard on the part of employers with respect to making provision for employees who were National Guardsmen during the annual two-week field training periods. Publicity for enlistment campaigns, preparation of speeches, and so forth fall to this Division.

It would seem that more meaningful functions might be assigned this Division in terms of the assemblage of basic intelligence data relative to the State Mission of the Guard. As it is, the G-2 Division does not function today in any basic military staff relationship to the other staff sections in terms of supplying intelligence review to G-3 plans.

The G-3 Division of the Department is manned entirely by active National Guard personnel. Its major responsibilities are for training plans of National Guard units to insure conformity with federal directives and for preparation of units for the accomplishment of the State Mission in the event of civil disturbance or disaster. The plans and training program for the Connecticut National Guard Officer Candidate School fall under the direction of this Division.

It should be noted that owing to the dual status of the National Guard normal staff relationships are altered in the case of the plans for and movement of troops under any phase of federal responsibility. The major movement of troops each year occurs in connection with the two-week field training period. Since this is entirely a federal responsibility, the staff work for troop movements, rations, and supply generally tends to operate between the G-3 Division and the United States Property and Disbursing Officer rather than between the G-3 and G-4 of the Department.³⁹

The G-4 Division represents in large measure the former Quartermaster General's Department. Its basic functions are best summed up in the new designation of its head officer--Property and Procurement. This Division is charged with responsibility for the construction and maintenance of all State owned military property, the maintenance of property records, and for handling State military procurement. It is through this Division that the obligation of the State to maintain facilities for the protection of federal property is administered. The increased postwar load in this respect is reflected in the almost one hundred per cent increase in field employees under this division, such as maintenance crews and armory caretakers.⁴⁰ While State responsibility for federal equipment in its possession is administered through this Division, accountability for both State and Federal purposes is charged to the United States Property and Disbursing Officer. Thus duplication of records is avoided.

Under the charge of the G-4 Division, the State of Connecticut has some 235 buildings, including 25 armories, 3,259 acres of land, all valued, including the furnishings of the buildings, at approximately \$6,400,000 in 1949.⁴¹ The increase in State owned property of about \$1,000,000 over the last prewar year is almost entirely the result of Federal action. All buildings, for the most part garages, erected for military purposes in the State since the war, have been put up by Federal funds and turned over to the State for maintenance. At the same time the value of Federal equipment stored in State owned facilities is now valued at some \$29,000,000⁴² or at more than seven times its prewar value. This gives at once some measure of the responsibility placed on the G-4 Division--and of the problem faced by it as well; for the most part its present facilities are sadly

³⁹ See paragraphs e and h, Appendix 8 b, Part II-B.

⁴⁰ See Appendix 2, Part II-B

⁴¹ See Appendix 4, Part II-B

⁴² See Appendix 5, Part II-B

inadequate. Full discussion of this aspect of the State's military problem will be made in Section 5 below.

Under the Fiscal Division are now combined the record keeping and fiscal functions formerly divided between the Adjutant General and Quartermaster General-Armory Inspector. For example, payments to military personnel for which the State was responsible, such as uniform and property allowances or for service on State duty, were handled and reported by the Adjutant General; payments to civilian personnel were handled and reported by the Quartermaster. Now the administration of all budgeted military appropriations is centered under one control and can be reported on a basis that will reflect actual State military functions and operations rather than the traditional apportionment of such functions as between the Adjutant General and Quartermaster. This, in passing, is one of the reasons why generalized comparisons of expenditures over past years with the present for any given departmental function is difficult and can be misleading.

For example, in 1936 and in 1947 the combined expenses of the Adjutant General and the Quartermaster were at approximately the same level: \$573,216 for 1936 and \$581,409 for 1947. Yet in 1936 the Adjutant General reported expenses of \$242,371 and in 1947 of \$180,842; Quartermaster expenses for the same years ran \$330,845 and \$400,627 respectively.⁴³ In 1936, however, the Adjutant General supplied troop pay to units of the National Guard and Naval Militia called out on flood duty and further handled certain property functions later transferred to the Quartermaster General.

The Fiscal Division, in addition to its normal operating functions in connection with processing payrolls, vouchers, and maintaining books, is charged with preparation of the biennial budget on the basis of estimates prepared by the State Divisions. It should be noted that the basis for budgetary estimates is determined by Federal rather than by State formulation: On the one hand the troop allotment made to the State by Federal authorities provides the foundation for calculating the various statutory allowances, property, administrative, and uniform,⁴⁴ the needed housing in terms of maintenance of existing or construction of additional armories, and finally the required administrative overhead to service the federally determined troop strength in terms of clerks, filing cabinets, typewriters, etc.; on the other hand, the amount of Federal equipment for which the State is obligated by law to provide protective facilities sets the goal for not only armories but warehouses, garages, and the like, as well as caretakers, maintenance crews, supply and equipment. State formulated budgetary items exist only with respect to the Naval Militia, the Governor's Guard Units and Staff, statutory executives of the Department, troop pay contingencies, and the contractual arrangements for property use and services as between state departments.

Conclusions and Suggestions:

(a) Functional Staff Organization: The organization of the

⁴³ Figures from Comptrollers Reports to the Governor, 1936, and the Adjutant General's Report, 1947.

⁴⁴ Secs. 1270 and 1271, 1949 Stat. Rev. See Appendix 7.

Military Department is now fundamentally sound. Staff officers have been assigned duties corresponding to the major operational functions of the Department along accepted military organization line.

(b) Policy Procedures: Through the media of General Orders, Circulars, and weekly staff meetings, basic and pertinent information as respecting policy and duties is given effective distribution.

(c) Personnel Administration: The Department has shown an efficient disposition and use of its allotted personnel and has maintained its administrative personnel strength at approximately prewar levels despite a sharp increase in the work load.

(d) Personnel Records: The efficiency of the Department could be increased through an appropriation for the purchase of modern rotation-type filing equipment for the maintenance of personnel records.

(e) Historical Records: The Department has stored in its vaults in an inaccessible condition records running back to Revolutionary War days.

It is suggested that the problem of proper disposition of these records be studied by a joint committee of the Military Department and State Library.

(3) Fiscal Matters: As a general proposition it can be said that funds appropriated for the assigned military functions of the Department have not been and are not excessive. During the four years immediately before the war, 1936 through 1939, total militia and armory expenditures averaged \$581,570 a year; during the four postwar years a decade later, 1946 through 1949, they have averaged \$753,019.⁴⁵ Included in these expenditures are funds appropriated for the Governor's Guard Units which over a corresponding prewar period averaged approximately \$12,000 a year⁴⁶ and for the postwar period some \$29,000.⁴⁷ In short, while troop strength allotments more than doubled and actual strength was about doubled, while federal equipment to be protected increased some seven times, state military expenditures increased by less than 30 per cent. Measured in terms of what the postwar dollar can buy, over-all State military expenditures have amounted to less than was spent in prewar years on a smaller establishment.⁴⁸ On the other hand, expenses for the Governor's Guard units have averaged in terms of dollars expended more than 100 per cent over prewar years. The question as to whether these are appropriate military expenditures will be discussed under Jurisdiction in 4 B below.

⁴⁵ See Appendix 6.

⁴⁶ Annual Comptroller Reports to Governor. Foot Guard Units only.

⁴⁷ Comptroller Reports and Adjutant General Reports to Governor.

⁴⁸ Three year basis. 1949 not available. Horse Guards included Executive Budget, 1949-51, Condensed Edition, p. 4. Average wholesale prices up 114 pc., construction costs 104 pc., manufactured goods up 98 pc.

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It should be noted that in stating that funds appropriated to military ends are not excessive only this much is being said: the state's estimate of its capacity to support a military program has been kept within narrow bounds; within these bounds the Military Department has administered its affairs efficiently. There is at present no standard by which appropriate expenditures can be measured in terms of State needs.

Military Department budgetary requests for the biennium 1949-51 approximated \$4,000,000 -- an annual rate of expenditure about three times the prewar and more than twice that of postwar years thus far.. That the actual appropriation was little more than half this figure is beside the point; such an appropriation simply postpone settling what is to be done about the increasing inadequacy of state military installations in terms of the Federal demands placed upon them. The point is that no criterion exists for budgeting a State military program apart from the military demands placed on the State by Federal action, and no basis exists for evaluating a program in turn put forward by the State military authorities save as it is able to compete successfully or unsuccessfully for its share of available State funds. This point will be discussed further under Section 5 below.

The establishment of the Fiscal Section within the Military Department has established a single point of contact for the Budget Bureau and Comptroller in the matter of laying down procedures for record keeping and handling of appropriations. In this connection it should be noted that such procedures have been observed save in respect to funds for the Governor's Guard units. It is contrary to State fiscal policy to make lump-sum appropriations as opposed to appropriations on a project basis. For no apparent good reason lump-sum appropriations continue to be made to these units. Inasmuch as the over-all proposal with respect to the disposition of these units will be made in the Section below on Jurisdiction, no suggestion with respect to the handling of appropriations will be made here.

One final observation as to fiscal matters. National Guard units are widely scattered over the State. Headquarters of the 103d AAA Brigade, for example, are in West Hartford. Its units are distributed at strategically selected coastal points the length of the State. One of them the 283d AAA Automatic Weapons Battalion (Mobile), is stationed in the Bridgeport Armory. Because of wholly inadequate garage facilities, its organic transportation equipment is housed at Niantic over fifty miles away.⁴⁹ Neither the Federal Government nor the State has made adequate provision for a pool of staff cars. The result is that officers travelling on inspection or on other duties associated with their command responsibilities must use their own cars without reimbursement. It is felt that allowance should be made for travel by officers, through battalion level at least, under competent orders in their private cars. No estimate has been made of what such an allowance would cost the State -- but it is certain that it would be small as compared with

⁴⁹ See map of Military Installations, Appendix 4 c., Part II-B

the drain on the resources of individual officers who now attempt to perform their duties without adequate travel facilities and who consequently contribute hundreds of dollars each year from their own pockets in the performance of their State duties. This provision should either be by arrangement between the Comptroller and the Department or, if necessary, by statutory provision as in the case of administrative and property allowances.

Conclusions and Suggestions:

(a) Funds: Funds appropriated for the assigned military functions of the Department are not excessive. These can be reduced by divorcing from the Department certain non-military groups presently assigned to the Department by law. (See paragraphs 4 b (1) and (2) below.)

(b) Budget Basis: State military budgets are based on Federally authorized National Guard strength levels and Federally determined shortages in State facilities relative to the demand placed upon them by Federal equipment issues. No counterbalancing State criteria of military needs relative to the State Mission of the National Guard exist.

(c) Fiscal Records: The keeping of fiscal records and financial procedures are in conformity with rules laid down by the Budget Bureau and Comptroller. The only departure from proper procedure is that in the past lump-sum appropriations have been made to the Governor's Guard units.

(d) Private Car Travel Allowance: It is felt that the Comptroller should take into consideration that Officers must frequently travel on official duty in private cars for which they receive no allowance. If satisfactory provision for such travel cannot be arranged in this manner, then statutory provision for travel by officers in private cars should be considered.

b. State Guard:

Included as part of the organized militia of the State is a State Guard Reserve. Its purpose is to furnish the State with a military force when the federally recognized militia are in Federal service. Under such circumstances it would absorb appropriate elements of the organized militia and become the sole nominal military force of the State.

This Reserve was activated 15 August 1949 under General Order 23 by command of the Governor.⁵⁰ Such action is provided for by Section 1233 of the General Statutes, 1949 Rev., which designates the Governor as Commander-in-Chief of the organized militia of the State as well as of the National Guard and Naval Militia. It is further provided for by Section 1244 which establishes a mandatory minimum strength of 2500 enlisted men for the National Guard, Naval Militia, and organized militia combined. Under this Statute the

50 See Appendix 15.

Adjutant General is obliged to take measures anticipating the entry into Federal service of the federally recognized militia. It was pursuant to This Section, for example, that the State Guard was mobilized as the National Guard was called out by the President prior to World War II.⁵¹

The formation of State militia forces is conditioned by Section 61 of the National Defense Act. Under this Section maintenance of such forces by the States is prohibited save when the National Guard, or any part of it, is in active Federal service. At such time military forces other than the National Guard may be organized in line with regulations, standards of training, instruction, and discipline as determined by Federal authorities. Provision is made for discretionary Federal support in the form of arms, munitions, clothing, and other equipment as well as funds in support of training. But Federal authorities are expressly forbidden to furnish pay, subsistence, medical care, and transportation of State Guardsmen from their homes to training areas.

Present plans for a State Guard call for the formation of a Brigade of two Regiments of four Battalions each. Commanders through Company level have for the most part already been selected. Such a structure might furnish a force of anywhere from 3,000 to 5,000 men. At present the State has little or nothing in the way of arms or equipment with which to support such plans.

Before commenting on the adequacy or inadequacy of the above -- indeed, on the need at all for a State Guard --- it is worth while to review briefly the experience of the last war.

The State Guard organization differed then in that Regimental Headquarters were eliminated and Battalions operated directly under Brigade command. This arrangement was adopted to make for greater flexibility in view of the geographic scattering of the basic units and their relative immobility. This plan of organization was not only approved by the War Department for Connecticut but was recommended as a model for other States to follow in setting up their Guards.⁵²

Immediately following the opening of hostilities, the State Guard was called for duty---the guarding of certain industrial plants, bridges, and utility installations. In a little over a month most units had been dismissed. The conclusions drawn from this experience and the steps taken in the light of it are summed up in the following excerpts from the Report of the Adjutant General of the following year:

⁵¹ Adjutant General's Report to the Governor, 30 December 1940.

⁵² Adjutant General's Report to the Governor, 30 December 1940.

The present tour of duty of the units of the Connecticut State Guard indicated the need of a mobile emergency unit or units which might be transported to any section of the State within a reasonable time to cope with a particular situation requiring the use of armed troops. A survey indicated that should use of State Guard troops become necessary again during the coming year use of one specialized Battalion, rather than scattered companies, might more efficiently handle the particular situation and for this reason a Military Police Battalion was formed effective as of midnight December 31, 1941...

With the exception of the Battalion Headquarters ... the six Military police companies combined in this Battalion will give the State a mobile force of approximately 300 enlisted men with sufficient officers who could be turned over to the Commissioner of State Police to augment his department at any time. These units will be equipped with police night sticks in addition to rifles and ammunition and whenever possible with adequate side arms..⁵³

During the balance of the war, units of the State Guard received further training but aside from that no demand was made for its services as a whole. The units assigned to the State Police for duty were found to be adequate and effective to the extent that they were used.

The conclusions and experience cited above raise questions with respect to both present plans for a State Guard and the State Statutes prompting them. In the only test to which the theoretical need for a minimum State military force of 2500 men has been put in an actual emergency a practical need for not more than 300 was revealed. Moreover it was discovered that these so-called military forces could be more effectively disposed of handled as a police auxiliary.

The statutory provision for a minimum force of 2500 in both the federally recognized and organized militia combined harks to 1921⁵⁴ and reflects the problems of the period immediately following World War I in which it was necessary to provide for the mustering out of State Guard units as National Guard units came into being. According to informal information from the Military Department, the figure of 2500 was arbitrarily selected as a good guess at minimum State requirements and as the then existing strength of two Infantry Regiments with supporting troops.⁵⁵ It would seem that this Statute might be subject to review in the light of both World War II experience and the increased mobility presently available to organized forces.

⁵³ Adjutant General's Report, 31 December 1941.

⁵⁴ Section 16, Chap. 223, Public Acts 1921.

⁵⁵ See Appendix 16.

Other States have gone a good deal further.

The response to a Questionnaire prepared by the Adjutant General of California with respect to current military practices in the State and Territories makes clear that a majority of States are not impressed with the need for a State Reserve to replace the National Guard. Connecticut was one of the fourteen replying that they had such a Reserve; four more reported it as in a planning stage --- as is indeed that of Connecticut. Thirty-two of the fifty-two States and Territories interrogated, however, replied to the question as to provision for such a Reserve with a flat No.⁵⁶

Among those replying NO was New Jersey. A member of this Work Project interviewed New Jersey military authorities on the matter. Their view was simply that such a reserve force from a State viewpoint was quite unnecessary and therefore an unwarranted charge upon the State; that if the Federal Government for strategic reasons desired the existence of such auxiliary forces within a State following the withdrawal of National Guard forces, it was up to the Federal Government to take the initiative in their mobilization and to provide for their training, equipment, pay, and subsistence.

It is difficult to find good reasons for disagreement with this view. In time of war responsibility for the defense of strategic installations and for internal security measures on a broad scale cannot be separated out from the over-all responsibility of the Federal Government for the conduct of the war; responsibility for troops in the field carries with it the responsibility for protection of their sources of supply from home bases. While local aspects of internal security are traditionally a State responsibility, we have seen that even a State such as Connecticut with its industries vital to any war effort and strategic transportation facilities made a slight demand on its part-time local forces during the last war. Responsibility for civil defense, on the other hand, does rest on civil agencies and on the States. In Connecticut this responsibility has been made one of the State Police. In this light the need for a State military reserve force hardly emerges.

Conclusions and Suggestions:

(a) State Guard-Reserve: A State Guard Reserve has been activated. Plans for this Guard now provide for one Brigade of two Regiments of four Battalions each. The Work Project members have not been impressed with the need for a State Guard as presently planned.

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Consolidated Replies of the Adjutant Generals of the several States and Territories to Questionnaire Submitted by Major General Curtis D. O Sullivan, Adjutant General of California, Edited and Reproduced by the Public Information Office, California National Guard.

(b) Police Reserve More Suited to State Needs: Experience during the last war pointed to the cumbersomeness of home guard companies scattered over the State. Reliance for State Guard duty quickly fell on certain mobile units, constituted as Military Police companies and turned over to the State Police as an auxiliary force.

It is suggested that current plans with respect to a State Guard Reserve be held in abeyance pending completion of the review of State military policy suggested under Section 5; that in connection with this review consideration be given to the feasibility of establishing a State Police Reserve rather than a State military reserve for war emergency use by State authorities.

(c) Military Reserve a Federal Responsibility: Having created the apparent need for a State Guard by the removal of federally recognized militia from the State, the Federal Government as part of its internal security responsibility should meet all expenses incidental to the establishment be deemed strategically necessary by Federal authorities. Other States have adopted this view. It is recognized that its implementation would require modification of Section 61 of the National Defense Act.

c. The Governor's Guard Units

The Governor's Foot and Horse Guards have had a long and colorful history. The First Company Foot Guards was organized in Hartford in 1771 by a group of citizens who were dismayed at the sorry appearance of the military escort of Governor Trumbull.⁵⁷ The Second Company Foot Guards of New Haven was chartered in 1775 for escort duty to the Governor.⁵⁸ The First Company Governor's Horse Guards was organized in Hartford in 1788. "Although one of the purposes of the Horse Guards of the early days was to keep up military practice and drill, the main function was to act as escort guard for the governor in times of peace and war."⁵⁹

While organized under the provisions contained in their charters, the Guards were enrolled, for a time, in the active militia and in 1931 were, by law, made a part of the organized militia of the state.⁶⁰ The First Company of the Horse Guards had a somewhat different history for in 1911 it was taken into the National Guard as Troop B. It was not until 1934 that an attempt was made to reconstitute a Governor's Horse Guards. This movement resulted in the re-establishment of the Horse Guards in 1937.⁶¹

57 History of First Company Governor's Foot Guards, Hartford, 1902,

pg 5.
58 See, Thomson, Jason P., Digest of the History of the Second Company Governor's Foot Guards, New Haven, 1899, p. 6.

59 Historical and Pictorial Review, National Guard, Naval Militia and Governor's Guards of the State of Connecticut, Baton Rouge, 1939, p. XXIV. A Second Company of the Horse Guards was organized in New Haven. It is not in existence today. Its purpose was to escort and attend upon the governor. See, Charter, Constitution. By-Laws and Roll of the 2nd Co. Governor's Horse Guards, New Haven, 1867.

60 See. 150b, Cumulative Supplement to the Gen. Statutes, 1931-33.

61 See, Historical and Pictorial Review, p. XIV.

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While serving as an escort to the Governor of Connecticut and participating in celebrations and state functions, the Guards have, at times, been called upon to quell civil disturbances. In 1813 the Second Company Foot Guards quelled a fight between the United States and foreign sailors during the embargo detentions of that year.⁶² The same company was called out in 1814 to put down a riot at the Medical College of New Haven.⁶³ During the draft riots of 1863, the Guard was under arms for 17 days,⁶⁴ and in 1870 occurred the last time a guard unit was called out to quell a civil disturbance. In 1813 the Second Company Foot Guards quelled a fight between the United States and foreign sailors during the embargo detentions of that year.⁶² The same company was called out in 1814 to put down a riot at the Medical College of New Haven.⁶³ During the draft riots of 1863, the Guard was under arms for 17 days,⁶⁴ and in 1870 occurred the last time a guard unit was called out to quell a civil disturbance. In this instance it was a riot that broke out during a prize fight.⁶⁵

In recent years the Guards have continued to serve as an escort to the Governor, to participate in parades and celebrations, to represent the state at festive occasions outside the state, and to add color and life to many occasions within the state. That this is the chief function of the Guards is shown by the record of the activities of the different companies.⁶⁶

Twice in recent years the Guards^{66a} have been called upon for disaster service, the Hartford flood of 1936 and the hurricane of 1938. In March 1949, the Horse Guards did crowd control duty at Bradley Field and were commended for their good work.⁶⁷ However, as stated previously, no record has been found of the Guards being called out during a riot or civil strife since 1870.

62 Thomson, p. 15

63 Thomson, p. 18

64 Thomson, p. 20

65 Thomson, p. 20

66 From reports in Adjutant General's Office, 1948.

66a See Appendix 18, Part II-B

67 Letter from George Kane, Airport Manager of Bradley Field, dated March 21, 1949. See, Public Hearings before the Joint Standing Committee on Military and Veterans's Affairs, 1949 p. 45 et seq.

From a study of the records found in the Military Department, one is forced to conclude that the Guard Units have little, if any, military value to the State of Connecticut.⁶⁸ In the first place they are not trained for riot control. During the period covered by the 1948-49 report, the Horse Guards had one riot and crowd drill out of approximately fifty drill periods. The First Company Foot Guards devoted three out of thirty-three drill periods to riot control. No record of any drill periods devoted to riot control was secured from the records of the Second Company Foot Guards in the office of Adjutant General.

In the second place, attendance at drill is poor. The Horse Guards have the best record of attendance with 69.8% of the Company at the July, 1948 encampment and with a 76.4% attendance at regular drills. The First Company Foot Guards had an attendance of 68.2% at drill periods from April 1948 to April 1949, but had only a 51.5% attendance at Camp Bowles in July 1949; 14.2% of those absent were AWOL. From the incomplete records in the Adjutant General's office, the Second Company Foot Guards had an average attendance at drills of 53% from November 1948 to May 1949.⁶⁹

In the third place, there is no real need for the Guards in so far as law enforcing and military functions are concerned. Whenever small disturbances or riots occur, it is the state police, today, that is called out. Trained in police work and crowd control, it is this organization that should be called out and that is called out to restore peace and order. If the riot reaches such magnitude that the state police is unable to put it down, it is the National Guard that is relied upon.

As there is no proper place for the guard units in the military setup of the state, it is difficult to classify the money appropriated for the guards as a necessary military expenditure. The state each year appropriates money in the amount allocated to the Military Department, for the use of the guard units. In addition certain special grants are made from year to year. There is no objection to money being used for this purpose if it is the will of the state. It is the policy of labeling those expenditures as military expenditures that is questioned. Money appropriated to the Military Department should be used for a military purpose.^{69a}

68 This is not a hasty conclusion. In 1888 the adjutant general in speaking of the guards said, "the necessity for the existence of some of these companies from a military standpoint may well be considered." Report of the Adjutant General, 188, p.X. In the Disaster Plan, prepared by the Military Department, the guards are listed as General Reserves. The Plan calls for the use of the Civil Air Patrol and the 102nd Army Band before resorting to the guard units.

69 These figures are taken from guard duty reports in the Adjutant General's Office. The combined size of the three guard units, August 1949

69a See Appendix 19, Part II-B.

Conclusions and Suggestions:

It is suggested that the Guard Units be reconstituted as private companies.

Two objections immediately arise; the guard units are proud of their military status acquired in 1931. The second objection is that the members of the guards would have to furnish their own firearms for by statute the Military Department is forbidden to issue firearms to private companies.⁷⁰

On the other side of the ledger is the fact that advantages will accrue to both the state and the guard units if this policy is followed. The state will be able to use the money now appropriated for the guards for military purposes. While the guards could undoubtedly use this money, already they are contributing generously to the upkeep of the guard units. The reconditioning of the armory used by the First Company Foot Guards if being done by the Company itself and will cost approximately \$14,000. This is but an instance of what the members themselves have contributed to the upkeep of the guards. Also transportation to camp is at the expense of each member. Much of the fatigue equipment is furnished by each man. The officers furnish their own dress uniforms.

As private organizations, the units will have certain advantages. Section 1326 of the General Statutes states that "the governor's guards, subject to the provisions of their charters...shall be organized militia."⁷¹ The constitutionality of this statement is extremely doubtful. Certainly the Governor as Commander-in-Chief and the Adjutant General as the head of the Military Department cannot be bound by the provisions of these charters.⁷²

Also, the guard units set up their own rules of membership and individuals are taken in only by action of the units themselves. If the guard units should continue as organized militia, they are subject to the anti-segregation law as passed by the last General Assembly⁷³ and will not be able to maintain an exclusive membership as has been true in the past.

⁷⁰ Sec. 1305, 1949, Rev.

⁷¹ Sec. 1326, 1949, Rev.

⁷² The Adjutant General in his report for the year 1889 stated, "As they (the guards) exist under special charters...this authority may, at times, prove a source of misunderstanding." Report of the Adjutant General, 1889, p. IX.

⁷³ Public Act No. 8, 1949 Session.

